

**PUBLIC HEALTH DEPARTMENT[641]**

**Adopted and Filed**

Pursuant to the authority of Iowa Code section 135M.4, the Department of Public Health hereby amends Chapter 109, "Prescription Drug Donation Repository Program," Iowa Administrative Code.

The rules in Chapter 109 describe the requirements for medical facilities and pharmacies to accept and dispense donated prescription drugs and supplies and the eligibility criteria for individuals to receive donated prescription drugs and supplies. The rule in Item 2 allows the Department of Public Health to be a local repository for the Prescription Drug Donation Repository Program in disaster and emergency situations.

Notice of Intended Action was published in the May 19, 2010, Iowa Administrative Bulletin as **ARC 8765B**. No comments were received. The adopted amendments are identical to those published under Notice.

The State Board of Health adopted these amendments on July 14, 2010.

These amendments will become effective on September 15, 2010.

This rule is intended to implement Iowa Code chapter 135M.

The following amendments are adopted.

ITEM 1. Reserve rules **641—109.12** and **641—109.13**.

ITEM 2. Adopt the following new rule 641—109.14(135M):

**641—109.14(135M) Prescription drug donation repository in disaster emergencies.** The following are the requirements for the department to receive and distribute prescription drugs and supplies in preparation for a disaster emergency proclaimed by the governor or in preparation for a public health disaster.

**109.14(1)** The department may receive prescription drugs and supplies directly from the prescription drug donation repository contractor and dispense prescription drugs and supplies through licensed personnel during or in preparation for a disaster emergency proclaimed by the governor pursuant to Iowa Code section 29C.6 or during or in preparation for a public health disaster as defined in 2009 Iowa Code Supplement section 135.140, subsection 6.

**109.14(2)** The department may receive and distribute prescription drugs and supplies as defined in Iowa Code section 135.142 to any Iowan who has been a victim of a disaster emergency proclaimed by the governor.

[Filed 7/14/10, effective 9/15/10]

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EDITOR'S NOTE: For replacement pages for IAC, see IAC Supplement 8/11/10.